

U.S. PT 18304

354 Anticipated Classification
of this Application:
Class Subclass

Prior Application:
Examiner J.M. Ford
Group Art Unit 1624

Attorney's
Docket
N .62815-A-PCT-US/
JPW/GJG/ACK

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

November 17, 2003

S I R:

This is a request for filing a ☒ CONTINUATION

DIVISIONAL **CONTINUATION-IN-PART** application under

X 37 C.F.R. §1.53(b) 37 C.F.R. §1.53(d), of pending prior application

Serial No. 09/355,534 filed on July 29, 1999 of

Douglas J. M. Allen, Timothy Norris, Jeffrey W. Raggon, Paul Santafianos and for
Inventor(s) Ravi M. Shanker

N-(3-ETHYNYLPHENYL)-6,7-BIS(2-METHOXYETHOXY)-4-QUINAZOLINAMINE MESYLATE ANHYDRATE AND MONOHYDRATE

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or Declaration verifying it as a true copy.
2. A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27
 is enclosed.
 was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE		
					SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
Total Claims	14-20	=	0	X	9	18	=	\$ 0	\$ 0
Independent Claims	1-3	=	0	X	43	86	=	\$ 0	\$ 0
Multiple Dependent Claims Presented: ___ Yes <u> X </u> No					145	290	=	\$ 0	\$ 0
If the difference in Col. 1 is less than zero, enter "0" in					BASIC FEE			\$ 385	\$ 770
					TOTAL FEE			\$	\$ 770

If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

¹ filing an application pursuant to this section expressly abandons the parent application.

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4. X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X Any additional filing fees required under 37 C.F.R. §1.16.
- X Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5. X Three copies of this sheet are enclosed.
6. X A check in the amount of \$ 770.00 is enclosed.
7. Cancel claims .
8. Amend the specification by inserting before the first line the sentence: --This is a continuation division of application Serial No. , filed ---
9. Sheet(s) of informal formal drawing(s) is/are enclosed.
10. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. Priority of application No. filed on in (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No. , filed .
12. X The prior application is assigned of record to OSI Pharmaceuticals, Inc.
13. X A preliminary amendment is enclosed, including Information Disclosure Statement.
14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Alan J. Morrison (Reg. No. 37,399); Mark A. Farley (Reg. No. 33,170); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); and Christine S. Nickles (Reg. No. 51,103)

Cont/Div.
Page 3

- (a) _____ The power appears in the original papers in the prior application.
- (b) X Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:
(May only be completed by applicant, or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15. X Also enclosed Express Mail Certificate of Mailing No.
EV 325 703 326 US, dated November 17, 2003

16. _____ I hereby verify that the attached papers are a true copy of prior application Serial No. _____ as originally filed on _____.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

November 17, 2003

Date

Signature

Gary J. Gershik
John P. White, Reg. No. 28,678
Gary J. Gershik, Reg. No. 39,992

INVENTOR(S)

ASSIGNEE OF COMPLETE INTEREST

X ATTORNEY OR AGENT OF RECORD

FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

John P. White, Esq.
Cooper & Dunham LLP

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New York, New York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Douglas J. M. Allen et al.
Serial No.: Not Yet Known (a continuation of U.S. Serial No.
09/355,534, filed July 29, 1999)
Filed : Herewith
Title : N-(3-ETHYNYLPHENYL)-6,7-BIS(2-METHOXYETHOXY)-
4-QUINAZOLINAMINE MESYLATE ANHYDRATE AND
MONOHYDRATE

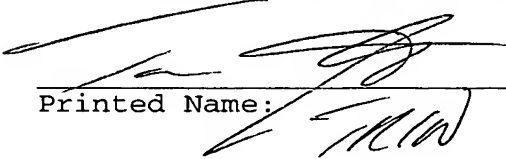
1185 Avenue of the Americas
New York, New York 10036
November 17, 2003

Mail Stop Patent Application
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

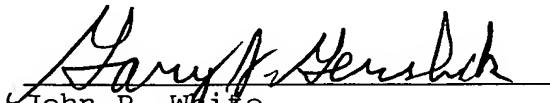
SIR:

EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION

"Express Mail" mailing label number: EV 325 703 326 US
Date of Deposit: November 17, 2003
I hereby certify that this paper or fee is being deposited to the
United States Postal Service "Express Mail Post Office to
Addressee" service under 37 C.F.R. §1.10 on the date indicated
above and is addressed to the Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450:

Printed Name:  1500A

Respectfully submitted,


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Douglas J. M. Allen et al.
Serial No. : 09/355,534 Art Unit: 1624
Filed : July 29, 1999 Examiner: J. Ford
For : N-(3-ETHYNYLPHENYLAMINO)-6, 7-BIS (2-METHOXYETHOXY)-4-QUINAZOLINAMINE MESYLATE ANHYDRATE AND MONOHYDRATE

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Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

ASSOCIATE POWER OF ATTORNEY AND NOTICE OF CHANGE OF ADDRESS

Please recognize John P. White (Registration No. 28,678) and Gary J. Gershik (Registration No. 39,992) as associate attorneys in the above-identified application and direct all correspondence to:

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Respectfully submitted,



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